

46

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

DIRECTV, LLC,

Plaintiff,

v.

OLCR, INC., TRACY BOGANS, and LUCY V. CHIN, Interim Clerk
JOHN DOE(S) 1-3, By ~~Do not~~ *Do not*

Defendants.

Civil Action No. 13-03358-JLS

FILED PROPOSED ORDER
ON DIRECTV'S MOTION
SEP 7 2016 FOR SUMMARY JUDGMENT

By *LOM* ~~Do not~~ Electronically Filed

THIS MATTER having been opened to the Court by plaintiff DIRECTV, LLC ("DIRECTV"), by and through its attorneys, Saiber LLC, by way of motion for summary judgment, pursuant to Fed. R. Civ. P. 56, on notice to defendant OLCR, Inc., defendant Tracy Bogans; and the Court having considered the papers submitted by DIRECTV in support of the within motion, and the papers submitted on behalf of defendants, if any, in opposition thereto, and the reply papers submitted on DIRECTV's behalf in further support of its Motion; and for other and good cause having been shown,

IT IS on this 6th day of SEPTEMBER, 2016, hereby ORDERED

that:

1. DIRECTV's Motion for Summary Judgment be and hereby is, GRANTED; and

*marked to ProSe
for marks*

2. IT IS FURTHER ORDERED that judgment is entered in favor of plaintiff DIRECTV and against defendant OLCR, Inc. and Tracy Bogans, jointly and severally, as to DIRECTV's claims under 47 U.S.C. §605(a), 15 U.S.C. §1125(a); and

3. IT IS FURTHER ORDERED that judgment be entered in favor of plaintiff DIRECTV against defendants OLCR, Inc. and Tracy Bogans, in the sum of \$6,081,000 for statutory damages pursuant to 47 U.S.C. §605(e)(3)(C)(i), plus post judgment interest at the legal rate in effect to accrue thereon from the date of this judgment forward until paid; and

4. IT IS FURTHER ORDERED that defendants, OLCR, Inc. and Tracy Bogans, are each permanently enjoined from committing or assisting in the commission of any violation of the Federal Communications Act, 47 U.S.C. § 605; and committing or assisting in committing any violation of the Lanham Act 15 U.S.C. § 1125(a), including, but not limited to:

(i) assisting any person or entity in the reception, distribution and use of DIRECTV's satellite transmissions of television programming;

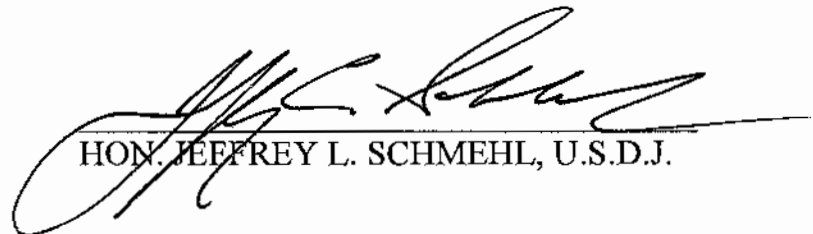
(ii) using "DIRECTV," "Direct TV," "DirectTV," "DTV" or the DIRECTV cyclone (collectively "the DIRECTV Marks"), or any word, term or design that would cause a likelihood of confusion with the DIRECTV Marks;

(iii) doing anything to confuse, mislead or deceive any person or

entity into believing that OLCR, Inc., and Bogans, and/or their products or services, are affiliated with, connected with, endorsed by, or sponsored by DIRECTV; and

(iv) making any statement or representation that falsely designates DIRECTV as the origin of OLCR Inc.'s and/or Tracy Bogans' products or services or that is otherwise false or misleading with respect to DIRECTV and/or the DIRECTV Marks; and

5. IT IS FURTHER ORDERED that DIRECTV may submit an application for its reasonable attorneys' fees and costs, pursuant to 47 U.S.C. §605(e)(3)(B)(iii), on or before SEPTEMBER 30, 2016.



HON. JEFFREY L. SCHMEHL, U.S.D.J.